

[Counsel Provided on Signature Pages]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA, a California corporation,

Plaintiff,

v.

ROGER JINTEH ARRIGO CHEN, an individual;
GENIA TECHNOLOGIES, INC., a Delaware
corporation; and DOES 1-25,

Defendants.

Case No. 3:16-cv-07396-EMC

**STIPULATION AND [PROPOSED]
ORDER (1) RESCHEDULING CASE
MANAGEMENT CONFERENCE; AND
(2) SETTING DEADLINES TO FILE
MOTION TO DISMISS, BRIEFING
SCHEDULE, AND TO HOLD RULE
26(F) CONFERENCE**

Judge: Hon. Edward M. Chen

Date: April 27, 2017

Time: 1:30 P.M.

Location: Courtroom 5, 17th Floor

Pursuant to Civil Local Rule 6-2(a), Plaintiff The Regents of the University of California (“Plaintiff”) and Defendants Roger Chen and Genia Technologies, Inc. (collectively, “Defendants”) (collectively, Plaintiff and Defendants shall be referred to herein as the “Parties”), by and through their counsel of record, hereby stipulate and request as follows:

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TO DISMISS, BRIEFING SCHEDULE,
AND TO HOLD RULE 26(F)
CONFERENCE**

1 WHEREAS, Plaintiff filed its original complaint in this action on December 29, 2016;

2 WHEREAS, pursuant to the deadline set forth in a stipulation regarding service and response
3 date filed with the Court on January 10, 2017, Defendants filed a motion to dismiss on February
4 27, 2017;

5 WHEREAS, the motion to dismiss was noticed for hearing on April 27, 2017, with the Case
6 Management Conference set for that same day;

7 WHEREAS, Plaintiff filed an amended complaint on March 20, 2017;

8 WHEREAS, Defendants plan to file a new motion to dismiss the amended complaint;

9 WHEREAS, the Parties met and conferred, and agree that both Parties would benefit from
10 the efficiency of holding the Case Management Conference on the same day as a hearing on
11 Defendants' motion to dismiss, provided that discovery proceeds during the pendency of the
12 motion to dismiss;

13 WHEREAS, the Parties further met and conferred, and agreed that both Parties would benefit
14 from an extension of time beyond that contemplated by the Federal Rules of Civil Procedure and
15 Local Rules to brief the motion to dismiss, as such time will allow for adequate presentation of
16 the legal issues;

17 IT IS THEREFORE STIPULATED AND AGREED:

18 (1) Defendants shall file a motion to dismiss the amended complaint by April 17, 2017;
19 Plaintiff shall file its opposition by May 8, 2017, and Defendants shall file their reply by May 22,
20 2017.

(2) The parties shall conduct their Rule 26(f) conference by April 14, 2017, so that discovery may commence during the pendency of the motion to dismiss;

(3) The parties respectfully request that the Court reschedule the Case Management Conference for June 8, 2017 at 1:30 P.M. or another date on which the Court is available so that the Case Management Conference and hearing on the motion to dismiss may be held on the same day.

SO STIPULATED.

Dated: March 28, 2017.

BAKER BOTTS LLP

**WILMER CUTLER PICKERING
HALE AND DORR LLP**

/s/ Stuart C. Plunkett

/s/ Robert J. Gunther, Jr.

Stuart C. Plunkett (State Bar No. 187971)
stuart.plunkett@bakerbotts.com
Ariel D. House (State Bar No. 280477)
ariel.house@bakerbotts.com
BAKER BOTTS LLP
101 California Street, Suite 3070
San Francisco, California 94111
Telephone: (415) 291-6200
Facsimile: (415) 291-6300

Robert J. Gunther, Jr. (NY SBN: 1967652)
robert.gunther@wilmerhale.com
Omar Khan (*pro hac vice*)
omar.khan@wilmerhale.com
WILMER CUTLER PICKERING HALE
AND DORR LLP
7 World Trade Center
250 Greenwich Street
New York, NY 10007
Telephone: (212) 230-8800
Facsimile: (212) 230-8888

Paul R. Morico (*pro hac vice*)
paul.morico@bakerbotts.com
Elizabeth Durham Flannery (*pro hac vice*)
liz.durham@bakerbotts.com
Thomas P. Rooney (*pro hac vice*)
thomas.rooney@bakerbotts.com
BAKER BOTTS LLP
One Shell Plaza
901 Louisiana Street

Robert M. Galvin (State Bar No. 171508)
robert.galvin@wilmerhale.com
WILMER CUTLER PICKERING HALE
AND DORR LLP
950 Page Mill Road
Palo Alto, CA 94304
Telephone: 650-858-6000

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Houston, Texas 77002
Telephone: (713) 229-1234
Facsimile: (713) 229-1522

*Counsel for Plaintiff The Regents of the
University of California*

Facsimile: 650-858-6100

Sarah B. Petty (*pro hac vice*)
sarah.petty@wilmerhale.com
WILMER CUTLER PICKERING HALE
AND DORR LLP
60 State Street
Boston, MA 02109
Telephone: 617-526-6000
Facsimile: 617-526-5000

Nora Q.E. Passamaneck (*pro hac vice*)
nora.passamaneck@wilmerhale.com
WILMER CUTLER PICKERING HALE
AND DORR LLP
1225 17th Street, Suite 2600
Denver, CO 80202
Telephone: 720-274-3135
Facsimile: 720-274-3133

*Counsel for Defendants Roger Jinteh Arrigo
Chen and Genia Technologies, Inc.*

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ATTORNEY ATTESTATION

I, Robert J. Gunther, Jr., am the ECF User whose ID and password are being used to file this Stipulation. In compliance with N.D. Cal. Civil L.R. 5-1(i)(3), I hereby attest that the concurrence in the filing of the document has been obtained from each of the other signatories.

March 28, 2017

By: /s/ Robert J. Gunther, Jr.
Robert J. Gunther, Jr.

CERTIFICATE OF SERVICE

I, Robert J. Gunther, Jr., hereby certify that on March 28, 2017, I electronically filed the above document with the Clerk of the Court using CM/ECF which will send electronic notification of such filing to all registered counsel.

March 28, 2017

By: /s/ Robert J. Gunther, Jr.
Robert J. Gunther, Jr.

[PROPOSED] ORDER

IT IS ORDERED that the foregoing Stipulation is approved. The Case Management Conference is reset for June 8, 2017 at 1:30 P.M. in Courtroom 5, 17th Floor, San Francisco. Defendants shall file a motion to dismiss by April 17, 2017, Plaintiff shall file its opposition by May 8, 2017, and Defendants shall file their reply by May 22, 2017. A hearing on the motion to dismiss will be set for the same day as the Case Management Conference. The parties shall further conduct their Rule 26(f) conference by April 14, 2017.

DATED 3/30/17

